

REMARKS/ARGUMENTS

The office action of February 23, 2004 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 1-31 remain pending in this application.

Information Disclosure Statement Issues

Initialed copies of the PTO-1449 Form for the Information Disclosure Statements filed on July 13, 2001, May 24, 2002 and October 4, 2002 were not returned to the undersigned with the office action. In this regard, Applicants have discovered that the Examiner apparently examining the instant application and related application serial no. 09/804,496 concurrently as evidenced by the closeness of the mailing dates of the office actions in these applications, inadvertently commingled some PTO-1449 Forms filed in the instant application with the related application. Specifically, the office action mailed December 18, 2002 in related application serial no. 09/804,496 included PTO-1449 Forms identifying for the instant application and not related application serial no. 09/804,496. Namely, an initialed copy of the PTO-1449 Form filed with the Information Disclosure Statement dated July 13, 2001 in the instant application was returned (essentially citing the same references as identified in the PTO Form 1449s provided in the related application) and an initialed copy of the PTO-1449 Form filed with the Information Disclosure Statement on May 24, 2002 in the instant application was returned with the December 18, 2002 office action in the related application serial no. 09/804,496. In view of the above, applicants respectfully request that the Examiner return initialed copies of the PTO-1449 Forms filed with the Information Disclosure Statements in the instant application on July 13, 2001 and May 24, 2002 with the next communication.

Section 103 Rejections

Claims 1-3 and 6-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 5,831,597 to West et al. ("West") in view of U.S. patent no. 5,995,101 to Clark et al. ("Clark") and claims 4-5 and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of West and Clark and further in view of U.S. patent no. 6,473,069 to Gerpheide ("Gerpheide"). Applicants respectfully traverse these rejections.

To show the claimed combination of features found in each of independent claims 1, 9, 18, and 20, the action relies on the combination of West and Clark.

Apparently, the action alleges that West discloses the claim 1 features of detecting a first physical presence proximate to or contacting a first auxiliary control for a predefined period in which the first auxiliary control maintains an inactive state, and generating feedback responsive to the step of detecting, but fails to teach or suggest the claim 1 features that the feedback provides an indication of the functionality of the first auxiliary control, the functionality of the first auxiliary control and associated feedback depending upon which one of a plurality of applications is active. To overcome this deficiency, the action points to the fact that Clark discloses a graphical display, which provides information in the form of a tool tip when a user points with a pointing device to an area of the graphical display associated with a particular function of a program. Then, the action contends that it would have been obvious to modify West to incorporate the display of Clark including a tool tip for providing detailed information about functions associated with icon or other control areas appearing in computer user interfaces (i.e., graphical user interfaces).

Notwithstanding the propriety of the combination of West and Clark, the combination does not result in the claim 1 invention. West describes a computer input device 250 used in conjunction with a mouse 254. The input device includes a multi-layer body including a planar upper surface layer for receiving the mouse and permitting the mouse to operate on the device's surface. Col. 1, lines 53-57. Capacitive touch sensors are located in the body for detecting when a capacitive body (e.g., a fingertip) comes into proximity of one of the sensors. Col. 1, lines 57-63. Clark describes a graphical user interface (GUI) including a cursor that allows a user to point to an area of interest in the graphical display. Abstract, lines 1-3. A tool tip can provide a first level of information in the graphical display when the user points to the area of interest and then provide a second level of information in the display if the user continues to point to the area of interest. Abstract, lines 4-9; col. 1, lines 46-53.

Contrary to the action's assertion, Clark neither teaches nor suggests feedback providing an indication of the functionality of the first auxiliary control, the functionality of the first auxiliary control and associated feedback being dependent upon which one of a plurality of

applications is active. Rather Clark merely describes providing a tool tip associated with an area of interest in the graphical display. Thus, at most the combination of West and Clark results in a system where a tool tip associated with an area (an icon or other control area) appearing in the graphical user interface pointed to by a pointing device would be displayed when a user touches the pointing device for a period of time. Various implementations of the applicants' invention provide a novel and non-obvious methodology providing the user with the ability to determine the functionality an auxiliary control. For at least the above reasons, claim 1 is patentably distinct from the combination of West and Clark.

Independent claims 9 and 18 each call for, among other features, generating feedback responsive to the step of detecting, the feedback providing an indication of the functionality of the auxiliary control. Thus, for at least the applicable reasons discussed with respect to claim 1, claims 9 and 18 are patentably distinct from the combination of West and Clark and further in view of additional novel and non-obvious features recited therein. For example, claim 9 further calls for the generating step to include displaying a display widget on the display screen responsive to the step of detecting, wherein the display widget identifies a text macro associated with the first auxiliary control. Clark does not teach or suggest that a tool tip identifies a text macro associated with the first auxiliary control. Claim 18 additionally recites, among other features, generating other feedback responsive to the step of detecting the second physical presence, the other feedback indicating functionality associated with the combination of the first auxiliary control and the second auxiliary control. Neither West nor Clark alone or in combination teach or suggest such generating such feedback.

Claims 2, 3, 6-8, and 10-18, which ultimately depend from claim 1, and claim 19, which depends from claim 18, are patentably distinct over the combination of West and Clark for at least the same reasons as their base claim and further in view of the novel and non-obvious features recited therein. For example, claim 8 calls for the step of generating to include the step of displaying a first display widget on the display screen responsive to the step of detecting, wherein the first display widget includes a user interface through which a user may change settings of the functionality of the first auxiliary control. Clark merely provides a tool tip associated with a control area on the graphical user interface. Nowhere does either West or Clark

teach or suggest such a feature. Clark merely provides a tool tip associated with an area of interest in the graphical display and does not teach or suggest including a user interface through which a user may change settings of the functionality of the auxiliary control as recited in claim 8. Claim 16 recites, among other features, generating other feedback responsive to the step of detecting the second physical presence, the other feedback indicating functionality associated with the second auxiliary control and discontinuing display of the first display widget responsive to the detecting the second physical presence. This combination of features is not suggested and would not have resulted if West and Clark were combined.

The action alleges that the combination of West and Clark discloses all the elements of claim 20. Specifically, the action contends that West shows the claim 20 features of detecting a first physical presence proximate to or contacting a first auxiliary control, and generating feedback responsive to the step of detecting, but fails to teach or suggest the claim 20 feature of displaying a first display widget on the display screen responsive to the step of detecting, the first display widget providing a tool tip associated with the first auxiliary control. To overcome this deficiency, the action asserts that Clark discloses a graphical display, which provides information in the form of a tool tip when a user points with a pointing device to an area of the graphical display associated with a particular function of a program. Then, the action contends that it would have been obvious to modify West to incorporate the display of Clark including a tool tip for providing detailed information about functions associated with icon or other control areas appearing in computer user interfaces (i.e., graphical user interfaces).

Notwithstanding the propriety of the combination of West and Clark, the combination does not result in the claim 20 invention. West describes a computer input device 250 used in conjunction with a mouse 254. The input device includes a multi-layer body including a planar upper surface layer for receiving the mouse and permitting the mouse to operate on the device's surface. Col. 1, lines 53-57. Capacitive touch sensors are located in the body for detecting when a capacitive body (e.g., a fingertip) comes into proximity of one of the sensors. Col. 1, lines 57-63. Clark describes a graphical user interface (GUI) including a cursor that allows a user to point to an area of interest in the graphical display. Abstract, lines 1-3. A tool tip can provide a first level of information in the graphical display when the user points to the area of interest and then

provide a second level of information in the display if the user continues to point to the area of interest. Abstract, lines 4-9; col. 1, lines 46-53.

Contrary to the action's assertion, Clark neither teaches nor suggests a tool tip associated with the first auxiliary control as recited in claim 20. Rather Clark merely describes providing a tool tip *associated with an area of interest in the graphical display*. Thus, at most the combination of West and Clark results in a system where a tool tip associated with an area (an icon or other control area) appearing in the graphical user interface pointed to by a pointing device would be displayed when a user touches the pointing device for a period of time. Various implementations of the applicants' invention provide a novel and non-obvious methodology providing the user with the ability to, for example, determine the functionality an auxiliary control. For at least the above reasons, claim 20 is patentably distinct from the combination of West and Clark.

Claims 21-30, which ultimately depend from claim 20, are also allowable over the combination of West and Clark for the same reasons as claim 20, and further in view of the additional advantageous features recited therein. For example, claim 21 calls for a keyboard including the auxiliary control. To show this feature, the action points to the keyboard 284 in Fig. 7 of West. However, West lacks a teaching or suggestion that the keyboard 284 includes the auxiliary control as recited in claim 21. Indeed, the touch sensors 292 are wholly independent from the keyboard 284. Nor does the pointing device 294 of West include the first auxiliary control as recited in claim 24 as the touch sensors 292 are separate from the pointing device 294. Also, to show that auxiliary control is a combination of keys, the action points to the keyboard 284. Yet, the keyboard 284 does not include the auxiliary control as discussed with respect to claim 21. In addition, Clark does not teach or suggest a tool tip that identifies an application that will be launched by activating the auxiliary control as recited in claim 25. Also, the combination of Clark and West does not teach or suggest discontinuing display of the first display widget responsive to detecting the second physical presence as recited in claim 28 or the second display widget representing a tool tip associated with the combination of the first auxiliary control and the second auxiliary control as recited in claim 29.

With respect to claims 4, 5 and 31, the action acknowledges that the combination of West and Clark does not teach or suggest "tactile feedback responsive to said step of detecting". To remedy this defect the action relies on Gerpheide. Notwithstanding the propriety of this combination, Gerpheide fails to remedy the defects discussed above with respect to claim 1, from which claims 4 and 5 depend, and claim 20, from which claim 31 depends. Hence, for at least this reason, the combination of West, Clark and Gerpheide does not result in the invention of claims 4, 5 and 31.

CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

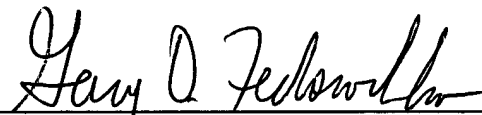
All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

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